

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

ORIGINAL

CURVES INTERNATIONAL, INC.,
a Texas corporation,

Plaintiff,

V.

STEPHANIE O'CALLAGHAN,
a Resident of New York,

Defendant.

Electronically Filed

C.A. No.07-CV-6404 (CLB)

ORDER TO SHOW CAUSE

Upon the annexed **Certification of Ronald D. Degen, pursuant to Local Rule 6.1(d)**, and all the other papers annexed hereto in support of the motion of Plaintiff Curves International, Inc. for a preliminary injunction enjoining Defendant Stephanie O'Callaghan from using the Curves proprietary marks, signs, and equipment and from operating a business that competes with Curves and its franchisees in violation of the covenant against competition agreed upon by the parties at 875 Saw Mill River Road, Ardsley, New York; and sufficient cause therefor appearing, it is

ORDERED, that Defendant Stephanie O'Callaghan show cause before Honorable Charles L. Brieant, United States District Judge, on the 26th day of July 2007 at 9:00 in the forenoon of that day or as soon thereafter as counsel can be heard, at the United States Court House at 300 Quarropas Street, White Plains, New York 10601, why an order should not be entered granting Plaintiff's motion for a preliminary injunction enjoining Defendant Stephanie O'Callaghan from using the CURVES(R) proprietary marks, signs, and equipment and from operating a business that competes with Curves and its franchisees in violation of the covenant

against competition agreed upon by the parties at 875 Saw Mill River Road, Ardsley, New York;
and it is further

ORDERED, that opposition papers, if any, must be served on Plaintiff's attorneys and
electronically filed with the court, with a courtesy copy sent to Honorable Charles L. Brieant, on
or before the 24 day of July, 2007; ^{at 4:45 PM} and it is further

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~~**ORDERED**, that reply papers, if any, must be served on Defendant, or if she has
retained counsel, upon Defendants' attorneys, and electronically filed with the court, with a
courtesy copy sent to Honorable Charles L. Brieant, on or before the ___ day of ___, 2007;
and it is further~~

ORDERED, that service of a copy of this Order and the papers upon which it is made
upon Defendant by personal service or overnight carrier on or before the 19 day of July, 2007
be deemed good and sufficient service.

Dated: White Plains, New York

July 18, 2007

White Plains, NY

Issued at 9:15 AM

So Ordered:

Charles L. Brieant

CHARLES L. BRIEANT
United States District Judge